REMARKS

STATUS OF THE CLAIMS

Claims 1-26 are pending in the application.

Claims 5, 9, 15, and 18-22 are allowed.

Claims 1, 2, 4, 6, 7, 10, 12, 16, 17 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Limb in view of Tateyama (US 006018816A).

Claims 3, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Limb in view of Tateyama and further in view of Perlman (US 5,398,242).

Claims 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Limb in view of Tateyama and further in view of Ching et al. (U.S. 4,665,514).

According to the foregoing, the claims are amended, and, thus, the pending claims remain for reconsideration, which is respectfully requested.

No new matter has been added.

REJECTIONS

This is a first final Office Action after filing an RCE.

The Office Action maintains allowance of claims 5, 9, 15 and 18-22.

The Office Action maintains the claim rejections over Limb, Tateyama, Perlman and Ching.

The Office Action page 8, item 6 is the Response to Arguments, in which the Examiner provides the previous arguments have not been persuasive.

The rejected independent claims are 1, 10, 12, 13, 16, 23 and 24.

The claimed present invention is directed to an IEEE 1394 network. In the Response to Argument, the Examiner relies on Limb column 9, lines 54-56, which discusses, "The present invention is applicable to any system in which a plurality of stations interconnected by a pair of signal paths," to allege Limb's discussion could be applied to an IEEE 1394. Further, the Examiner relies on Tateyama to assert IEEE 1394 is known in the prior art.

It is submitted that Limb's "pair of signal paths" and description of communication among the stations on the pair of signal paths could not be applied to an IEEE 1394 network, because

Limb earliest effective filing date is August 16, 1989 at which time IEEE 1394 was not yet adopted by IEEE. Specification for the IEEE 1394 appears to have started in 1986, according to an IEEE 1394 trade association data. IEEE 1394 standard appears to have been adopted in 1995. Therefore, Limb fails to provide any disclosure or suggestion to be applied to an IEEE 1394. The Office Action, Response to Arguments, asserts Tateyama is relied upon to support IEEE 1394 being well known. So basically, the Office Action alleges one skilled in the art would be motivated to modify Limb to be applied to an IEEE 1394 based upon Tateyama. However, there is no motivation in Tateyama or an IEEE 1394 network generally to modify Limb to operate on an IEEE 1394 network. But even if one combined Limb with Tateyama, the combined system would be directed to the IEEE 1394 physical layer for isochronous transmission (i.e., directed to writing cycles for accessing the bus), to which Limb relates and which differs from the claimed present invention.

The claimed present invention recites "transferring *a write packet* from a first node to a second node, when a plurality of nodes, including the first node, the second node and a third node, connect by a bus but not connect in a ring form and the plurality of nodes constitute an IEEE 1394 topology." However, Limb fails to disclose or suggest a "*write packet*," because Limb discusses "*a frame*" of a writing cycle in which a data packet can be transmitted. Limb's column 6, lines 26-60 and FIG. 6 discuss "*a frame*" has two parts a control filed 20 and a data field 21. *The data field 21 receives data packets from the stations*." Therefore, the claimed present invention's "*write packet*" differs from Limb's discussion of a writing cycle frame in which a data packet is transmitted.

In contrast to Limb's discussion of a "*frame*," the claimed present invention's "*write packet*" is generated above the link layer (FIG. 5) with node address information to be analyzed by the link layer, which differs from Limb's "*frame*." In other words, for example, Limb does not differentiate what type of data packet is in the frame's data field 21. The present application page 9, line 25, discusses the different types of a packet the packet transfer control circuit 11 processes, namely, "a normal packet" 21 or "*a write packet*" 22. See, allowed independent claim 19. According to the embodiments of the claimed present application, blank write packets 22 are transferred from certain nodes at certain time for a more efficient data transfer other than normal data packets in an IEEE 1394 network (see present application page 22, lines 26-32). Therefore, the claimed present invention's "*write packet*" differs from Limb's "frame."

In contrast to Limb, the claimed present invention provides:

1.   (CURRENTLY AMENDED) A method comprising:

transferring a write packet from a first node to a second node, when a plurality of nodes, including the first node, the second node and a third node, connect *by a bus but not* ~~connect~~*connected in a ring form and the plurality of nodes constitute an IEEE 1394 topology*,

storing data to be written in a data portion of *a write packet addressed to the third node* in the data portion of the write packet at the second node; and

transferring the write packet from the second node to the third node.

Limb is silent on manipulating "*a write packet addressed to the third node*," because Limb does not discuss analyzing a data packet in Limb's data field 21 in a frame, which is shown in Limb FIG. 6. Both Tateyama and Perlman (Perlman discusses an explorer message) fail to disclose or provide any motivation to be modified or modify Limb, to provide the claimed present invention's, "*transferring a write packet* ... *by a bus but not* ~~connect~~*connected in a ring form and the plurality of nodes constitute an IEEE 1394 topology,* storing data to be written in a data portion of *a write packet addressed to the third node in the data portion of the write packet at the second node.*"

Therefore, the Office Action does not establish a prima facie case of obviousness based upon Limb, Tateyama and Perlman to reject the independent claims.

Withdrawal of the finality of the Office Action and either allowance of the pending claims or issuance of another office action is respectfully requested, because it is believed that in view of the foregoing remarks to further clarify Limb and Tateyama disclosures, Limb and Tateyama do not disclose or suggest the claimed present invention, and a first final Office Action after filing of an RCE was premature.

In the alternative, entry of the claim amendments are respectfully requested for purposes of appeal, because the claim amendments improve form and do not raise new issues.
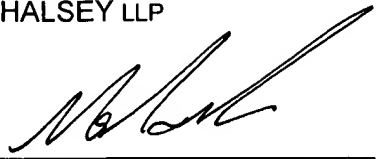
The dependent claims recite patentably distinguishing features of their own, or are at least patentably distinguishing due to their dependencies from the independent claims.

<u>CONCLUSION</u>

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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